

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEFFREY TODD EASTMAN,
Petitioner,
v.
WARDEN,
Respondent.

Case No. 2:24-cv-1107-TLN-JDP (P)

ORDER TO SHOW CAUSE

On November 7, 2024, the court notified petitioner that his petition failed to state a claim. ECF No. 10. The court granted petitioner thirty days to file an amended petition. *Id.* To date, petitioner has not done so.


To manage its docket effectively, the court imposes deadlines and requires litigants to meet those deadlines. The court may dismiss a case based on petitioner's failure to prosecute or failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41; *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005) (“[T]he consensus among our sister circuits, with which we agree, is that courts may dismiss under Rule 41(b) sua sponte, at least under certain circumstances.”). Involuntary dismissal is a harsh penalty, but the court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

Petitioner will be given a final opportunity to explain why the court should not dismiss his

1 case for failure to file an amended petition. Petitioner's failure to respond to this order will
2 constitute a failure to comply with a court order and will result in dismissal of this case.
3 Accordingly, petitioner must show cause within twenty-one days of the date of entry of this order
4 why the court should not dismiss his case for failure to state a claim, failure to prosecute, and
5 failure to comply with a court order. Should petitioner wish to continue with this lawsuit, he shall
6 also file, within twenty-one days, an amended petition for writ of habeas corpus.

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8 IT IS SO ORDERED.

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10 Dated: December 19, 2024


11 JEREMY D. PETERSON
12 UNITED STATES MAGISTRATE JUDGE
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